

HOUSE No. 902

By Ms. Balser of Newton, petition of Ruth B. Balser and others for legislation to include linguistically appropriate mental health services in certain insurance plans. Financial Services.

The Commonwealth of Massachusetts

PETITION OF:

Ruth B. Balser	Steven J. D'Amico
Edward M. Augustus, Jr.	Barbara A. L'Italien
Ellen Story	Patricia D. Jehlen
Kay Khan	Gloria L. Fox
William N. Brownsberger	Steven A. Tolman
John P. Fresolo	Elizabeth A. Malia

In the Year Two Thousand and Seven.

AN ACT PROVIDING FOR LINGUISTICALLY APPROPRIATE MENTAL HEALTH SERVICES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 22 of chapter 32A of the General Laws, as
2 appearing in the 2004 Official Edition is hereby amended by adding
3 the following paragraph:—

4 The commission shall provide linguistically appropriate mental
5 health services. The commission shall make every effort to include
6 in its network licensed mental health professionals who are qualified
7 to provide linguistically appropriate mental health services. In
8 instances where there is no such qualified licensed mental health
9 professional within the network, the commission or the insured shall
10 arrange for such services with a qualified mental health professional
11 outside its network, to be reimbursed at the same rate.

12 For purposes of this section “linguistically appropriate mental
13 health services” shall mean mental health services that are provided
14 in the primary or preferred language of the patient.

1 SECTION 2. Section 47B of chapter 175 of the General Laws, as
2 so appearing, is hereby amended by adding the following
3 paragraph:—

4 Any such policy shall provide linguistically appropriate mental
5 health services. An insurer shall make every effort to include in its
6 network licensed mental health professionals who are qualified to
7 provide linguistically appropriate mental health services. In
8 instances where there is no such qualified licensed mental health
9 professional within the network, the insurer or the insured shall
10 arrange for such services with a qualified mental health professional
11 outside its network, to be reimbursed at the same rate.

12 For purposes of this section “linguistically appropriate mental
13 health services” shall mean mental health services that are provided
14 in the primary or preferred language of the patient.

1 SECTION 3. Section 8A of chapter 176A of the General Laws, as
2 so appearing, is hereby amended by adding the following para-
3 graph:—

4 Any such contract shall provide linguistically appropriate mental
5 health services. A non-profit hospital service corporation shall make
6 every effort to include in its network licensed mental health profes-
7 sionals who are qualified to provide linguistically appropriate mental
8 health services. In instances where there is no such qualified
9 licensed mental health professional within the network, a non-profit
10 hospital service corporation shall arrange for such services with a
11 qualified mental health professional outside its network, to be reim-
12 bursed at the same rate.

13 For purposes of this section “linguistically appropriate mental
14 health services” shall mean mental health services that are provided
15 in the primary or preferred language of the patient.

1 SECTION 4. Section 4A of chapter 176B of the General Laws, as
2 so appearing, is hereby amended by adding the following
3 paragraph:—

4 Any such contract shall provide linguistically appropriate mental
5 health services. A non-profit medical service corporation shall make
6 every effort to include in its network licensed mental health profes-
7 sionals who are qualified to provide linguistically appropriate mental
8 health services. In instances where there is no such qualified
9 licensed mental health professional within the network, a non-profit
10 medical service corporation shall arrange for such services with a
11 qualified mental health professional outside its network, to be reim-
12 bursed at the same rate.

13 For purposes of this section “linguistically appropriate mental
14 health services” shall mean mental health services that are provided
15 in the primary or preferred language of the patient.

1 SECTION 5. Section 4M of chapter 176G of the General Laws,
2 as so appearing, is hereby amended by adding the following
3 paragraph:—

4 Any such contract shall provide linguistically appropriate mental
5 health services. A health maintenance organization shall make every
6 effort to include in its network licensed mental health professionals
7 who are qualified to provide linguistically appropriate mental health
8 services. In instances where there is no such qualified licensed
9 mental health professional within the network, a health maintenance
10 organization shall arrange for such services with a qualified mental
11 health professional outside its network, to be reimbursed at the same
12 rate.

13 For purposes of this section “linguistically appropriate mental
14 health services” shall mean mental health services that are provided
15 in the primary or preferred language of the patient.